

Application No. 10/611,596
Response to Office Action of February 9, 2007

Atty. Docket No. 042390.P17061
TC/A.U. 2157

Remarks

The Applicant respectfully requests reconsideration of the present U.S. Patent application as amended herein. Claims 1 and 39 have been amended. Claims 23-38 have been cancelled without prejudice. No claims have been added or withdrawn. Thus, claims 1-22 and 39-43 remain pending in the application.

Objections to the Drawings

The Office action objected to FIGs. 3 and 7 because they contain text that is unreadable. The Applicant has submitted replacement FIGs 3 and 7. Thus, the Applicant respectfully requests that the objection to FIGs. 3 and 7 be withdrawn.

Objections to the Specification

The specification was objected to due to a number of informalities in a number of paragraphs. The Applicant has provided replacement paragraphs for the following paragraphs: 1, 16, 22, 29, and 36. Thus, the Applicant respectfully requests that the objections to the specification be withdrawn.

Claim Rejections § 101

Claims 33-38 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 33-38 have been cancelled without prejudice and, thus, the rejection of claims 33-38 is moot.

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Claim Rejections § 102

Claims 1-43 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,697,360 issued to Gai et al. (*Gai*). Claims 23-38 have been cancelled without prejudice and, thus, the rejection of claims 23-38 is moot. The Applicant respectfully submits that claims 1-22 and 39-43 are not anticipated by *Gai* for at least the reasons set forth below.

The Manual of Patent Examining Procedure ("MPEP"), in § 2131, states:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 869 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Thus, under 35 U.S.C. § 102, a claim is anticipated *only if* each and every element of the claim is found in the cited reference and the cited reference must show the invention in as complete detail as contained in the claim.

A method comprising:
receiving a description of a network component; and
placing at least a portion of the received description into one of a plurality of sections of an electronic list of network components, each of the plurality of sections having a standard format, wherein each of the plurality of sections corresponds to a capability of a network component, and further wherein the electronic list of network components includes
a dynamic network device section to contain a description of one or more network components that can be moved from one location on a network to another location,
a non-dynamic network device section to contain a description of one or more network components having a static IP address, and

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a power management section to contain a description of
one or more power management modules to programmatically
apply power to a network component.

(Emphasis added). Independent claim 39 is a system claim that, as amended, similarly recites "an electronic list of network components ... wherein each of the plurality of sections corresponds to a capability of a network component ... the ... list include[ing] a dynamic network device section ... a non-dynamic network device section ... and a power management section."

The Office action directs the Applicant's attention to various sections of *Gai* which are directed to auto-configuring layer three intermediate computer network devices. The cited passages of *Gai* do not, however, disclose "an electronic list of network components ... wherein each of the plurality of sections corresponds to a capability of a network component ... the ... list include[ing] a dynamic network device section ... a non-dynamic network device section ... and a power management section" as recited in claims 1 and 39. Thus, the Applicant respectfully submits that *Gai* cannot anticipate claims 1 and 39.

Claims 2-22 depend from claim 1. Claims 40-43 depend from claim 39. For at least the reason that dependent claims include the limitations of the claims from which they depend, the Applicant respectfully submits that claims 2-22 and 40-43 are not anticipated by *Gai*.

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Conclusion

The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Respectfully submitted,

Date: May 9, 2007

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